IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GHULAM MOHAMMED

-

WRIT APPEAL NO : 637 of 2005

Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/11/2004 in WP NO : 834 OF 96 on the file of the High Court.

Between:

1 The Managing Director, A.P.Women's Cooperative Finance Corporation Ltd., Vengalrao Nagar, Hyderabad.
2 The District Manager, Telugu Bala Mahila Pragathi Pranganam, Vizianagaram.

..... APPELLANTS

AND

Mrs.P.Atmajyothi, w/o Rama Prasad,
r/o V.T.Agraharam, Vizianagaram.

.....RESPONDENT

Counsel for the Appellants: MS.M.VIDYAVATHI

Counsel for the Respondent: MR.VENKATESWARA RAO GUDAPATI

The Court made the following:

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JUDGMENT:

(Per The Hon'ble Sri Justice J.Chelameswar)

Aggrieved by the order dated 30-11-2004 in W.P.No.834 of 1996, the respondents therein have preferred the present writ appeal.

Apart from the merits of the case, it is an order suffered by the appellant by default. The order under appeal recorded the events as follows:

> "This Court on the earlier occasion after hearing in detail, passed orders on 17.11.2004 directing appearance of the first respondent especially taking into consideration the fact that the first respondent has not filed any counter affidavit and further that the interim directions granted by this court on 24.01.1996 have also not been complied with. The said notice was served on the first respondent on 27.11.2004. In spite of the same, none appeared and no representation is made on his behalf and no counter affidavit has been filed."

Therefore, we do not see any valid reason to consider the matter on merits at this stage, more particularly, when the appellants did not bother to present their case, in spite of the fact that there was a direction for their appearance.

We see no merits in the writ appeal. Therefore, the writ appeal is dismissed at the admission stage.

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J.Chelameswar, J

Ghulam Mohammed, J

Dated March 24, 2005.

YCR/MRK

To

1 The Managing Director, A.P.Women's Cooperative Finance Corporation Ltd., Vengalrao Nagar, Hyderabad.
2 The District Manager, Telugu Bala Mahila Pragathi Pranganam, Vizianagaram.

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